

1 ROGER A. BERGMANN
2 STATE BAR NO. 733
3 4947 W.LAKERIDGE TERRACE LANE
4 RENO, NV 89509

5 ATTORNEY FOR CHAD BLANCHARD, WATER MASTER

6 UNITED STATES DISTRICT COURT

7 FOR THE DISTRICT OF NEVADA

8 THE UNITED STATES OF AMERICA)

9 Plaintiff,)

10 Vs.)

11 ORR WATER DITCH COMPANY, et. al.)

12 Defendant.)

ORDER FOR ADDITIONAL
FUNDING REGARDING
ADMINISTRATION OF
TRUCKEE RIVER
OPERATING AGREEMENT
FOR CALIFORNIA
PROJECTS FUND

13 3:73-CV-0003LDG

14 1. Whereas, the commencement of the Operation of the
15 Truckee River Operating Agreement (TROA) was on December 1,
16 2015 under the management of the Federal Water Master; and
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18 2. Whereas, TROA Section 2.C(f)(1) and Section 2.C
19 (f)(2) provide for the establishment of a Habitat
20 Restoration Fund consisting of at least \$50,000 per year
21 beginning in Year 2 following TROA implementation for a
22 period of 30 years; and

23 3. Whereas, the Federal Water Master/TROA
24 Administrator, CHAD BLANCHARD, has included \$50,000 for the
25 first annual Habitat Restoration Fund line item as set
26 forth in Exhibit "C" of the budget for First Year TROA
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1 Operations, approved by the Court on September 15, 2010;
2 and
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4 4. Whereas, the annual amount of at least \$50,000,
5 but no more than \$100,000 will be included in the TROA
6 Administrator's annual budget and will be adjusted annually
7 in accordance with TROA Section 2.C(f)(1); and
8

9 5. Whereas, the first distribution of funds was made
10 available during calendar year 2017, and the final (30th)
11 distribution will be available after December 2045 (during
12 calendar year 2046); and
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14 6. Whereas, TROA defines the initial recipient of
15 Habit Restoration Funds to be the State of California; and
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17 7. Whereas, the State of California has identified
18 that additional funds are necessary to support additional
19 projects along with its commitment as set forth in TROA
20 Section 2.C(f)(2).
21

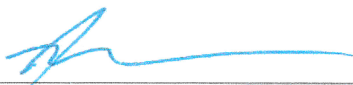
22 8. The State of California agrees to pay to the
23 Federal Water Master, when such funds are available, the
24 additional sum of TWO HUNDRED FIFTY THOUSAND DOLLARS
25 (\$250,000.00), to be used for the period beginning October
26 1, 2019, until the funds are exhausted. Such funds shall be
27 set aside by the Federal Water in a separate and distinct
28 bank account known as the CALIFORNIA PROJECTS FUND, and

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monies contributed by California shall be used only for this purpose.

Agreed to by the State of California this 8th day of October 2019.

STATE OF CALIFORNIA

By: 

JUAN ESCOBAR

Principal Engineer, North Central Region Office Chief

Good cause appearing therefore, it is hereby Ordered this 6th day of March 2020.

UNITED STATES DISTRICT JUDGE

By: 